

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEMARIA L. WYNN
as Guardian for Duane L. Wallace, a protected individual,
and
DUANE L. WALLACE, a protected individual,

Plaintiffs,

-vs-

Case No. 06-10534
HON. AVERN COHN

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

**ORDER DENYING DEFENDANT'S MOTION IN LIMINE
TO STRIKE THE REPORT OF BRADLEY SEWICK, PH.D. (DOC. 91)**¹

This is an attendant care case under Michigan's No Fault Act. Defendant has filed a motion styled Motion in Limine to Strike the Report of Bradley Sewick, Ph.D., Dated March 20, 2009 (doc. 91). The motion is DENIED. Defendant is free to object at trial to any portion of Dr. Sewick's testimony that may be confusing or misleading or carries the danger of unfair prejudice substantially outweighing its probative value. The report is not admissible into evidence standing by itself.

SO ORDERED.

Dated: April 10, 2009

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

¹ In this circuit, a ruling on a motion in limine is advisory only. United States v. Yannott, 42 F.3d 999, 1007 (6th Cir. 1994). To preserve for appeal any issue relating to this decision, a party must raise the question at trial and obtain a final decision from the Court. See United States v. Luce, 713 F.2d 1236, 1239-40 (6th Cir. 1983).

06-10534 Wynn v. State Farm Mutual Auto Ins Co
Re: D/E 91

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, April 10, 2009, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160